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11/30/2005 13:27 FAX

002/003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ZUK, Michael Yar  
Serial No.: 09/758,133  
Filed: January 12, 2001  
Title: BRUXISM APPLIANCE AND METHOD OF FORMING  
Group: 3764  
Examiner:  
Attorney Ref.: PAT 354-2 US

November 29, 2005

Commissioner for Patents  
United States Patent and Trademark Office  
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401 Dulany Street  
Alexandria, Virginia  
22314  
U.S.A.

Dear Sir:

**REQUEST FOR REFUND UNDER 37 CFR 1.26**

Applicant hereby requests a refund of \$100.00 as this amount was mistakenly deducted from our deposit account on October 18, 2005.

Please find attached a Notice Regarding Change of Power of Attorney issued by the Office on October 27, 2004 withdrawing the agents of Borden Ladner Gervais LLP from the above-noted patent application.

The Commissioner is respectfully requested to credit Deposit Account No. 501593 in the amount of \$100.00. Applicant authorizes the Commissioner to make such credits and debits in respect of the Deposit Account such that the proper fees with the proper codes are debited to the account and that excess funds previously charged are credited to the account. Applicant also encloses a transmittal form to accompany this Request for Refund.

Respectfully submitted,

Michael Yar ZUK

By: 

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Encl.

1. Notice Regarding Change of Power of Attorney  
ALK/JLD/jld

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Patent Commissioner for Patents  
 P.O. Box 1515  
 Alexandria, Virginia 22304-4415  
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APPLICATION NUMBER	FILED OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/758,133	01/12/2001	Michael Yar Zuk	PAT 354-2

26123  
 BORDEN LADNER GERVAIS LLP  
 WORLD EXCHANGE PLAZA  
 100 QUEEN STREET SUITE 1100  
 OTTAWA, ON K1P 1J9  
 CANADA

CONFIRMATION NO. 8890



\*OC000000114206946\*

Date Mailed: 10/27/2004

## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/21/2004.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

CAROL A LAKE  
 3700 (571) 272-4363

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**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Application Number	09/758,133
Filing Date	January 12, 2001
First Named Inventor	Michael Yar ZUK
Art Unit	3784
Examiner Name	
Attorney Docket Number	PAT 354-2
Total Number of Pages in This Submission	3

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Copy of Notice Regarding Change of Power of Attorney dated October 27, 2004
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Remarks  
Attention: MAILSTOP 16  
Fax No.: 571-273-8500

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Borden Ladner Gervais LLP
Signature	
Printed name	Anne Kinsman
Date	November 30, 2005
Reg. No.	45,291

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Anne Kinsman
Date	November 30, 2005

This collection of information is required by 37 CFR 1.5. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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